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Message Text

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63
ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-01 INR-05 L-02

NSAE-00 NSC-05 PA-01 RSC-01 PRS-01 SP-02 SS-15

USIA-06 CAB-02 COME-00 DOTE-00 EB-07 FAA-00 IO-10

SY-04 SCCT-01 SAJ-01 /080 W
---------- 126559
R 201658Z DEC 74
FM AMEMBASSY BONN
TO SECSTATE WASHDC 6941
INFO USMISSION USBERLIN
AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION NATO BRUSSELS

C O N F I D E N T I A L BONN 19587

E.O. 11652: GDS
TAGS: PFOR, PGOV, WB, GW, US, UK, FR, UR
SUBJECT: SOVIET STATEMENT ON EXTENDING HIJACKING
CONVENTION TO BERLIN

REF: A) BONN 18689
B) STATE 243977
C) BONN 16768
D) MOSCOW 11783

I. IN RESPONSE TO INSTRUCTIONS FROM PARIS AND CONTINUING UK UNEASE REGARDING PARA 3 OF AD REF TEXT OF REPLY PROVIDED REFTEL A, AT BONN GROUP MEETING DEC 19 NEW TEXT WAS AGREED AD REF FOR RECOMMENDATION TO AUTHORITIES. AIM OF NEW TEXT, WHICH WE CONSIDER AN IMPROVEMENT, IS TO BRING THE PURPOSE OF THE HIJACKING CONVENTION INTO FIRST NUMBERED PARAGRAPH AND THUS EMPHASIZE ITS NON-AVIATION NATURE.
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2. BEGIN TEXT:

WITH REGARD TO THE COMMENTS MADE RECENTLY TO THE (BLANK) EMBASSY CONCERNING THE EXTENSION TO THE W.S.B. OF THE CONVENTION FOR THE SUPPRESSION OF UNLAWFUL SEIZURE OF AIRCRAFT, I HAVE BEEN INSTRUCTED BY MY AUTHORITIES TO MAKE THE FOLLOWING OBSERVATIONS:

A. IN ACCORDANCE WITH ESTABLISHED PROCEDURES WHICH WERE REAFFIRMED IN THE QUADRIPARTITE AGREEMENT OF 3 SEPTEMBER 1971, THE AUTHORITIES OF THE THREE POWERS, BEFORE AUTHORISING ITS EXTENSION TO THE W.S.B., REVIEWED THIS CONVENTION WHICH HAS THE PRIMARY PURPOSE OF ESTABLISHING THE OFFENCE OF UNLAWFUL SEIZURE OF AIRCRAFT AND OF A FRAMEWORK WITHIN WHICH THOSE COMMITTING THIS OFFENSE CAN BE BROUGHT TO JUSTICE.

B. THE AUTHORITIES OF THE THREE POWERS DO NOT ACCEPT THE SOVIET ASSERTION THAT CONVENTIONS RELATING TO THE ESTABLISHMENT OF JURISDICTION OVER CRIMES MAY NOT BE EXTENDED TO THE W.S.B. FOR MANY YEARS CONVENTIONS OF THIS NATURE HAVE BEEN EXTENDED TO BERLIN SUBJECT, WHENEVER REQUIRED, TO APPROPRIATE ALLIED RESERVATIONS.

C. AS FAR AS CIVIL AVIATION MATTERS MAY BE CONCERNED, THE AUTHORITIES OF THE THREE POWERS HAVE TAKEN THE NECESSARY STEPS TO ENSURE THAT ALLIED RIGHTS AND RESPONSIBILITIES IN THIS FIELD REMAIN UNAFFECTED.

IT IS THEREFORE THE POSITION OF THE THREE POWERS THAT THE EXTENSION TO THE W.S.B. OF THE CONVENTION REFERRED TO ABOVE IS FULLY CONSISTENT WITH THE QUADRIPARTITE AGREEMENT. END TEXT.

3. RECOMMEND DEPARTMENT APPROVE ABOVE TEXT FOR DELIVERY IN MOSCOW IN ACCORDANCE WITH NORMAL PROCEDURES.
CASH

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